

UNITED STATES OF AMERICA

+ + +

FEDERAL COMMUNICATIONS COMMISSION

+ + +

PUBLIC HEARING

ON

BROADCAST LOCALISM

+ + +

WEDNESDAY,

JULY 21, 2004

+ + +

THIRD FLOOR
STEINBECK FORUM
ONE PORTOLA PLAZA
MONTEREY, CALIFORNIA

+ + +

PRESENT:

KATHLEEN ABERNATHY, FCC Commissioner

MICHAEL COPPS, FCC Commissioner

JONATHAN ADELSTEIN, FCC Commissioner

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

C O N T E N T S

	PAGE
Opening Remarks:	
Commissioner Abernathy	3
Commissioner Copps	11
Commissioner Adelstein	21
Welcome by Mayor Albert	32
Presentation by Alex Zerago	37
Presentation by Blanca Zarazua	44
Presentation by Eduardo Dominguez	51
Presentation by Joseph W. Heston	57
Presentation by Joseph Salzman	63
Presentation by Sean McLaughlin	69
Presentation of Chuck Tweedle	76
Presentation of Harry J. Pappas	95
Presentation of John Connolly	102
Presentation of Kathy Baker	108
Presentation of Davy D.	114
Presentation of Delia Saldivar	123
Presentation of Harry B. Robins	128
Presentation of Warren Trumbly	133
Open Microphone	146
Closing Remarks	292

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

P R O C E E D I N G S

COMMISSIONER ABERNATHY: Wow! I love this gavel.

(Laughter from audience)

Good evening ladies and gentlemen. And welcome to the public hearing of the Federal Communications Commission on localism and broadcasting. We're so very, very pleased to be here; gracious hospitality of everyone here. My name is Kathleen Abernathy, and I serve as a commissioner of the Federal Communications Commission and I am joined by my two distinguished colleagues, Commissioner Michael Copps and Commissioner Jonathan Adelstein. And I am also joined by Ms. Belva Davis. She is a long time Bay Area television personality

(Applause.)

COMMISSIONER ABERNATHY: and current host of "This Week in Northern California" on KQED-TV. Ms. Davis has graciously agreed to moderate the open microphone segment of our program tonight. So I want to thank her for being willing to do that.

(Applause.)

COMMISSIONER ABERNATHY: We are also very pleased to have with us tonight the Honorable

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Daniel Albert, Mayor of the city of Monterey, who
2 will present welcoming remarks in just a few
3 moments.

4 I'm going to read a long list of
5 dignitaries and then I think we should give them all
6 a round of applause. We are also pleased to be
7 joined this evening by the Honorable Ana Caballero,
8 Mayor of the City of Salinas; the Honorable Jerry
9 Smith, Mayor of the City of Seaside; Alex Zerago,
10 who will present remarks on behalf of Congressman
11 Sam Farr; Mike Canolakis, Sheriff-Monterey County;
12 Fred Cohn, Deputy City Manager, City of Monterey;
13 and Joy Messenger, Center for Missing and Exploited
14 Children. And if we could welcome all these people
15 here tonight.

16 (Applause.)

17 And finally, last but not least, we
18 are particularly indebted to the City of Monterey,
19 the Mayor and Mr. Cohn for their warm welcome and
20 kind assistance in making this hearing possible. If
21 we didn't have their help and their commitment, we
22 wouldn't have been able to do this. So thank you
23 very much and to all the citizens in Monterey.

24 (Applause.)

25 As I think many of you probably know,
26 last August FCC Chairman Michael Powell created an
27 initiative on broadcasting and localism to examine

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 how well radio and television stations are serving
2 their communities of license.

3 (Interruptions from audience.)

4 (Speaking with an audience member.)

5 Well he's not here, he's not here. But we are here!

6 Now, I was going to save this part of
7 my speech for later. But, I guess I will start it
8 now. I think a critical part of what defines us as
9 Americans is our ability to respect and defend the
10 right of free speech even when people say things
11 that we may ultimately disagree with and I have been
12 concerned and I've seen this happen more in politics
13 lately that when someone says something that we
14 disagree with, we vilify them or we denigrate them
15 and that's not what our country is about. Other
16 countries do that. I think our country has always
17 been strong because we welcome divergent opinions
18 and so, but . . .

19 (Interruption from audience.)

20 Maybe I am wrong. I would hope I'm
21 not. I think it's fair and right that people get to
22 speak their peace uninterrupted.

23 (Applause.)

24 So that's all I ask. I want to hear
25 from everyone. I don't think anybody has a monopoly
26 on the truth and I want to be able to learn from
27 everyone and so that means we would have to be able

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 to hear everyone. So with that, what I wanted to
2 talk about generally is that we want to look at how
3 radio and television stations are serving their
4 communities of license. I think we're all, most of
5 us here are parents, we've got kids. We know what a
6 significant impact television and radio have on our
7 everyday lives, on our children, on our culture. And
8 it's very, very important that at the FCC we take
9 our oversight role very seriously. So we've had a
10 number of hearings. The first was in Charlotte last
11 October. Our second was in San Antonio in Texas and
12 our third in Rapid City, South Dakota in May. And
13 tonight we are holding our fourth hearing here in
14 California and we expect to hold two more hearings
15 in the upcoming months.

16 So what do we mean by localism and
17 why does the FCC care about it? In the broadest
18 sense localism refers to the responsiveness of a
19 broadcast station to the needs and interests of its
20 community of license. So promoting localism is one
21 of the principle reasons the FCC regulates broadcast
22 television and radio and when we give an entity a
23 license, in return, the licensee promises to serve
24 the public through its use of the license and a key
25 part of that public interest is that the broadcaster
26 air programming that is responsive to the community
27 of license and this public interest obligation

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1232 BUCKLE ISLAND AVE. NW

1 applies uniquely to broadcasters and it really
2 distinguishes them from cable and satellite channels
3 because if you think about cable and satellite,
4 they're doing nationwide programming, they're not
5 looking at the particular needs of the community.

6 So we are here tonight because we
7 need to further explore whether we as government
8 regulators, are we doing all that we can to ensure
9 that stations serve their listeners and their
10 viewers? And I know it's a relatively simple thing
11 to say, government should be doing more. But at the
12 same time it ducks the hard questions -- more what?
13 I want to hear about more oversight, more specific
14 kinds of reports. We need to move beyond just simple
15 statements to specific proposals. And that's why I
16 am so pleased to be with you here tonight and listen
17 and learn. I suspect that everyone who is taking
18 time out of their personal lives to be here really
19 cares about their local community and wants to
20 better understand what it means for a local
21 broadcaster to serve the public interest.

22 Now, I have heard some concerns that
23 some broadcasters have abandoned their public
24 interest obligations. They're only interested in
25 earnings. I'm shocked. But, I have heard that and
26 others have said that they are very uncomfortable
27 with some of the broadcast content. While you have

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 another group that says they're very concerned about
2 the kinds of content, but they're concerned about
3 government intrusion on what is said on the
4 television and the radio, and at the same time I've
5 heard from some charitable organizations that survive
6 and thrive thanks to sponsorships from local
7 broadcasters. So, we're receiving all of these
8 messages, and we need to know more.

9 So tonight we want to determine all
10 over again the level and the character of local
11 broadcast service that's being provided today and to
12 consider what behavioral rules and policies the
13 Commission might adopt or what legislative changes,
14 if it comes to that, that we would need to recommend
15 to Congress to promote and improve the local service
16 of broadcasters.

17 And I think the one constant in all of
18 this is the obligation of broadcasters to serve their
19 local community. So these hearings are an on-the-
20 ground inspection of how the broadcast system is
21 working for local communities, and we have three main
22 objectives. First, we want to hear directly from all
23 of you. We want to hear how you think local
24 broadcasters are doing, what you like, what you
25 dislike, what you think should be done differently.

26 Second, we want to hear from the
27 broadcasters about their localism efforts. I know

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 many broadcasters are proud of the work for their
2 local community, and we need to hear from them and
3 hear what they've been doing to really address local
4 community concerns.

5 And, third, we want to make sure that
6 all of you know how to participate at the FCC when a
7 local station's license is up for renewal because we
8 need to hear about what's going on before we make
9 certain determinations.

10 So, I see these hearings as an
11 opportunity to bring these license renewals to life.
12 I think it's one thing for us to sit in Washington
13 and read pieces of paper. But coming here is very
14 important and coming to the other hearings, it's very
15 important for us to really learn about what's going
16 on, and we want to ensure that you know how to
17 participate in the government review of these license
18 renewals.

19 So, the FCC staff has prepared a short
20 book, really a primer on how to participate in the
21 license renewal process, and it is available in the
22 public packets that you got tonight, but it's also
23 located on our website, www.fcc.gov/localism.

24 And then, finally, I want to touch on
25 a recent court decision that overturned the FCC's
26 media ownership rules. When that decision was
27 adopted -

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 (Applause.)

2 COMMISSIONER ABERNATHY: I'll send
3 your warmest personal regards to the court.

4 (Laughter.)

5 COMMISSIONER ABERNATHY: But to go
6 back to that decision, when that decision was
7 adopted, I believed that we were faithfully following
8 directions given to us by Congress and a prior court.

9 But now a different court has sent the
10 rules back to us, and it has given us new
11 instructions, and so that means at some point we will
12 be seeking further comment on our ownership rule, and
13 we will also want to hear from the public, from all
14 of you, about your concerns and experiences when it
15 comes to those issues, the media ownership issues.

16 And so while tonight's hearing
17 generally focuses on what we can do to ensure that
18 all licensees, whether they're small, large, or in
19 between, so that we can assure that all of them are
20 serving the local community, we will also listen, of
21 course, to what you might have to say about ownership
22 limits.

23 So I want to thank the panelists for
24 preparing testimony and joining us tonight. The
25 participation of the community and the local
26 broadcasters is critical if these hearings are to be
27 meaningful, and I want to extend a warm welcome and

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 the Commission's thanks to the citizens of Monterey
2 County and other areas who are here in attendance, as
3 well as anyone who's watching on TV or listening via
4 radio or on the FCC's audio Webcast. We are very
5 much looking forward to tonight's discussion.

6 And now I would like to acknowledge
7 Commissioner Copps for an opening statement, and
8 after that Commissioner Adelstein.

9 COMMISSIONER COPPS: Thank you. Thank
10 you all for coming, and thank you to this community
11 for the warm hospitality you have already shown us.
12 Tonight we continue a truly remarkable grassroots
13 dialogue about the future of America's media. Over
14 the past year we have seen a cascading national
15 concern over what many Americans, me included, see as
16 deeply troubling trends in the media. Citizens from
17 all over this country have come together to express
18 their concern, even their alarm. The discussion
19 focuses once again on the decision by the FCC to relax
20 the media consolidation rules with people asking how
21 many or, maybe better, how few companies should be
22 allowed to control our media.

23 For what purposes are stations granted
24 licenses and how does the public interest fare in a
25 consolidated environment?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Concerned parents and creative artists,
2 religious leaders, civil rights activists, labor
3 organizations, young people, old people, independent
4 broadcasters and many, many others came together,
5 worked together and made a difference together.

6 Their representatives in Congress answered
7 the call. The United States Senate has voted twice
8 now to overturn the FCC decision on ownership caps in
9 its entirety, and over 200 members of the House of
10 Representatives have asked the House leadership for
11 permission to vote on the same resolution of
12 disapproval. So far they have been denied that vote.
13 Wouldn't it be nice if the members of the House of
14 Representatives had a right to vote on this issue?

15 (Applause.)

16 COMMISSIONER COPPS: The court responded,
17 too. Just last month, as Commissioner Abernathy
18 pointed out, the Third Circuit ruled that the FCC's
19 media concentration plan was legally, and
20 procedurally, and deeply flawed.

21 So we have now heard from the court.
22 We've heard from the Congress. We've heard from the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 American people that the FCC got it wrong when it
2 tried to unleash even more consolidation. It should
3 be clear that we need to reassess our approach and
4 start protecting the people's interest in the people's
5 airwaves.

6 (Applause.)

7 COMMISSIONER COPPS: But let me point out
8 that it is no slam dunk that this is going to happen
9 because, while it's really good news that the court
10 sent those rules back to the Commission, they sent it
11 back to the very same Commission that gave you those
12 rules in the first place.

13 (Laughter.)

14 COMMISSIONER COPPS: So, an entirely
15 plausible outcome of all of this could be ruled every
16 bit as bad as the ones sent back to us, and throw in
17 the fact that big media will be right there lobbying
18 for everything they're worth -- and that's a bunch --
19 and I think you can see that the battle ahead of us is
20 going to be long and hard.

21 Let's begin at the beginning tonight
22 reminding ourselves that it's all of us who own the

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 airwaves, and that corporations are given the
2 privilege of using this public asset and even to
3 profit from its use in exchange from their commitment
4 to serve the public interest.

5 Broadcasters have been given very special
6 privileges, but they have very special
7 responsibilities to serve their local communities.
8 This is a special interest in serving the public
9 interest, it's supposed to be its loadstar each day,
10 every day, every hour.

11 I'm pleased that tonight we will hear from
12 some local broadcasters with roots in their
13 communities. We need to recognize and reaffirm the
14 proud heritage of local broadcasters, many of whom
15 still are committed to serving their communities well.

16 My concern is that the increasing media
17 concentration out there threatens the very survival of
18 these local broadcasters. During the hearings on
19 media ownership that my colleague, Commissioner
20 Adelstein and I have held across this country, we have
21 heard time and again from local broadcasters what a
22 direct and detrimental impact consolidation has

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 brought upon them.

2 These days station owners are less and
3 less captains of their own fate and more and more
4 captives of unforgiving Wall Street and Madison Avenue
5 financial expectations.

6 Some tell us the answer is to rely more on
7 the marketplace forces as a guarantor of the public
8 interest. These people trust that the public interest
9 will somehow magically trump the urge to build power
10 and profit, and that localism will, thereby somehow
11 survive and thrive. I don't think we can afford to
12 rely on any kind of magic here, the marketplace or any
13 other kind of magic, and the people who bring us
14 reality TV --

15 (Applause.)

16 COMMISSIONER COPPS: -- the people who
17 bring us reality TV shouldn't expect us to be so
18 naive. In fact, we need to explain to them that the
19 ultimate reality show is not how many bugs someone can
20 eat on a deserted island. The ultimate reality show
21 is this fight on media democracy and over the future
22 of the public airwaves.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 (Applause.)

2 COMMISSIONER COPPS: Since the 1980s,
3 fundamental protections of the public interest have
4 been tossed overboard. Requirements like broadcasters
5 having to meet with members of the community to
6 determine the needs and interests of local citizens or
7 teeing up controversial issues and antagonistic points
8 of view for listeners and viewers, for providing
9 viewpoint and program diversity, to name just a few of
10 the obligations that once we had and we have no more.

11 In addition, we've pared back the license
12 renewal process from one wherein the Commission used
13 to look every three years at how stations were serving
14 the public, with a very explicit list of things that
15 stations were supposed to do, to a process now where
16 once every eight years basically the broadcaster sends
17 in a postcard, and it's a form or two more than that,
18 but it's not called "postcard renewal" for nothing,
19 and it's pretty much a slam dunk that the license will
20 be renewed. That is not what public interest
21 protections are all about.

22 It's so ludicrous as to be almost funny,

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 but this erosion of public interest protection comes
2 at high and dangerous cost to the American people.
3 Some call my concern excessive, but I believe in my
4 bones that few priorities our country confronts have
5 such long-term importance to our democracy as how
6 America communicates and converses with itself and how
7 this process has been allowed to deteriorate in recent
8 years.

9 (Applause.)

10 COMMISSIONER COPPS: So we come to
11 Monterey to talk directly with members of this
12 community and this region and to tap your local
13 expertise to get a look, both broad and deep, at what
14 is going on here.

15 Are stations adding to the civic dialogue?
16 In this election year, are they covering the important
17 issues that confront you or are they just focusing on
18 the polls and handicapping the horse race? Are they
19 covering the local issues in local campaigns? Are
20 they encouraging local talent, local creativity, local
21 musicians? Are they reaching out to minority groups
22 within the community?

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Important questions and all questions the
2 Commission refused to tackle before we voted on media
3 consolidation, but now good fortune in the form of the
4 court has smiled a little bit upon us and we can
5 hopefully use the record we compile tonight as we
6 consider the rules that have been sent back to us.

7 I also want to use the record we compile
8 tonight in this license renewal process that I
9 mentioned a moment ago. Every license in the country,
10 television and radio, will be renewed over the course
11 of the next few years. We need to make that a serious
12 process once again, and we need to rely on you to make
13 that happen.

14 And as Commissioner Abernathy says, there
15 are various ways you can do this. You can file a
16 formal objection. I don't recommend that to anybody
17 but the really stout of heart. It's expensive and
18 time consuming, but you can also file an informal
19 complaint at the Commission and we are obligated to
20 look at that informal complaint.

21 This is the fourth of our localism
22 hearings. We have already heard from the good people

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 of the Carolinas and Texas and the Dakotas about the
2 importance they attach to their local media. Once in
3 a while we get a little sidetracked on this score,
4 however, and I want to point this out tonight.

5 Some of our broadcaster panelists and
6 commenters seem to confuse sometimes such things as
7 conducting blood drives and fundraising for charities
8 with the sum total of their public interest
9 responsibilities. Now, please do not get me wrong
10 here because these fundraising activities are
11 tremendously commendable activities. I welcome them.
12 I salute them, and this is as American as apple pie
13 for corporations in every line of business participate
14 in that kind of community self-help, and we should all
15 be proud of it and all applaud it.

16 But that is only part of a broadcaster's
17 responsibility to the community, and the question on
18 the table tonight is how well this very special
19 industry is serving its much broader obligations to
20 use the airwaves to benefit all of us.

21 So I hope that our panelists and
22 commenters tonight will resist the temptation just to

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 catalogue all of these non-broadcast activities and
2 focus instead on the even more important problems that
3 we've identified.

4 Again, let me thank our panelists, my two
5 colleagues here with me tonight, and most of all, you
6 in the audience who gave up an evening when you could
7 be doing lots of other things to be here with us
8 tonight.

9 In the end this really all comes down to
10 you. It doesn't come down to the courts or the
11 Congress. It comes down to the American people, and I
12 think what I see going around this country and
13 everywhere we go on a night like this you'll see four
14 or five, 600 people turn out; I think the people of
15 the United States want to wrap their arms around this
16 issue of how many or how few companies are going to
17 control our media future and settle it.

18 And I think if we all pull together, at
19 the other side of this process that we're involved in
20 now, and I hope it won't take months and months and
21 months; I think we need to do this relatively quickly
22 in the next few months, and if we do it right, we will

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 end up with airwaves of, by and for the American
2 people. Thank you very much.

3 (Applause.)

4 COMMISSIONER ABERNATHY: Thank you very
5 much, Commissioner Copps, and I think everyone knows
6 his commitment to this issue. So thank you again.

7 And now I'd like to introduce Commissioner
8 Jonathan Adelstein for his opening remarks.

9 COMMISSIONER ADELSTEIN: Thank you,
10 Commissioner Abernathy.

11 (Applause.)

12 COMMISSIONER ADELSTEIN: Thank you.

13 Well, it's a real breath of fresh air to
14 get out of Washington, D.C. Let me tell you.

15 (Laughter.)

16 COMMISSIONER ADELSTEIN: It's a bit of a
17 swamp there in more ways than one, and to get that
18 fresh ocean breeze coming when I went to Monterey was
19 just so refreshing, and it always is refreshing to
20 get outside of the Beltway and hear from the wisdom of
21 the American people because by all accounts, I think
22 there is a lot more out there than there is inside

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 where we come from.

2 (Applause.)

3 COMMISSIONER ADELSTEIN: And I learn so
4 much each time I come and listen to you. I, of
5 course, love it out here. I spent a couple of summers
6 right down the Pacific Coast Highway in Big Sur. It's
7 not on my resume, but I was actually a dishwasher at
8 Epison.

9 (Laughter and applause.)

10 COMMISSIONER ADELSTEIN: There were many
11 days at the FCC when I wish I had just taken up
12 residence here.

13 (Laughter.)

14 COMMISSIONER ADELSTEIN: Well, the focus
15 today is on how well broadcasters are serving their
16 local communities as we've heard, but tonight comes in
17 the middle of this larger struggle we've talked about
18 the overall ownership of the public's airwaves. It's a
19 fight for media democracy, and it's a struggle we
20 simply can't afford to lose.

21 Last year I came out here to San Francisco
22 for an unofficial hearing without all of the great

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 staff assistance and everything, but we did it on a
2 shoestring at City Hall in San Francisco, and we had
3 hundreds of people stand in line for hours to get in
4 there. It was a reflection even before the ownership
5 decision of the deep concern in this part of the
6 country about the state of the airwaves.

7 Everywhere we went Commissioner Copps and
8 I heard from people a groundswell of concern about
9 letting giant media companies grow even bigger. A lot
10 of citizens spoke about how they think consolidation
11 homogenizes programming, cuts independent and minority
12 voices, and guts the coverage of local issues in local
13 communities.

14 So I came back to D.C. from these
15 hearings, including the one in San Francisco, and I
16 warned my colleagues that people here in California
17 weren't satisfied with their media, and they weren't
18 interested in any more consolidation.

19 Well, this is, as I learned, Citizen Kane
20 country right down the highway there, right down
21 Highway 1, but the new rules that went through would
22 have allowed new media moguls to rise up that make

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 Citizen Kane look like an underachiever.

2 (Laughter.)

3 COMMISSIONER ADELSTEIN: But what a
4 difference a year can make. Incredible the amount of
5 education, the amount of thought and energy and
6 activism and concern and studies that went into this.

7 Now, the American people have spoken.
8 Congress and the courts have spoken, and they've all
9 condemned the FCC's wrong-headed decision. The same
10 week just a couple of weeks ago that the Senate voted
11 99 to one to put the FCC's damaging rule changes from
12 last summer on hold, a federal court as we have heard
13 rendered a decisive verdict against more media
14 consolidation. That was a huge victory for the
15 American people.

16 That was probably the biggest victory in
17 the history of the media democracy movement, and it
18 was a tribute to everyone who spoke up, including many
19 people in this room. Congratulations to all of you.

20 (Applause.)

21 COMMISSIONER ADELSTEIN: The court
22 reaffirmed that the airwaves belonged to you. What

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS

1323 RHODE ISLAND AVE., N.W.

WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com

1 you told us time and again at every hearing I heard it
2 again and again: "the airwaves belong to us. Why
3 can't we have more control over them? Why can't we
4 have any say in them?"

5 Well, the court spoke loudly and clearly
6 that the FCC's job is to protect you, to protect the
7 public. It blasted the FCC for using inconsistent and
8 incoherent reasoning that didn't reflect the real
9 world.

10 Perhaps that's because the FCC didn't take
11 the time to reach out to the public last year, as I
12 pleaded with my colleagues to do and I know
13 Commissioner Copps did. We only held one official
14 hearing as a group, and we didn't put an outline of
15 the rules out for public comment, and if we had, I
16 think a lot of the flaws that the court found in the
17 decision could have been addressed before we made them
18 final, and we wouldn't have had that decision the way
19 we did.

20 And we shouldn't have dismissed the views
21 of three million people with a single passing
22 paragraph.

NEAL R. GROSS

COURT REPORTERS AND TRANSCRIBERS
1323 RHODE ISLAND AVE., N.W.
WASHINGTON, D.C. 20005-3701

(202) 234-4433

www.nealrgross.com